



RECEIVED

NOV 2 1999

TECH CENTER 1600/2900

AF \$
GAV 1634
24/E
B. Webley
12/10/99

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Soderlund, H. *et al.* Examiner: C. Myers
Serial No.: 08/465,322 Group Art Unit: 1634
Filed: June 5, 1995 Docket: 13025-4
Title: "Method and Reagent For
Determining Specific Nucleotide
Variations"

Kalow Springut & Bressler LLP
488 Madison Avenue
New York, New York 10022

November 29, 1999

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Certificate of Express Mail Under 37 C.F.R. 1.8
I hereby declare that this correspondence is being deposited with the United States Postal
Service via Express Mail Label No. EL302845697US in an envelope addressed to:
Commissioner of Patents and Trademarks, Washington, DC 20231

11/29/99
Date

J. Colwell
Name

**SUBMISSION UNDER 37 C.F.R. § 1.129 IN REPLY
TO MAY 28, 1999 FINAL OFFICE ACTION**

Sir or Madam:

Applicants respectfully request that this Submission and the following amendments be
entered and considered together with the accompanying remarks in response to the Final Office
Action mailed on May 28, 1999 in the above-identified application.

12/02/1999 DVUONG 00000097 08465322
01 FC:146 760.00 OP

A reply to the May 28, 1999 Final Office Action was originally due by August 28, 1999.

Accordingly, Applicants enclose herewith a three-month extension of time, to and including
November 29, 1999, within which to reply to the Final Office Action along with a check for

Applicants: Soderlund, H. *et al.*
Serial No.: 08/465,322
Filed June 5, 1995
Page 2 (Reply to Final Office Action 37 CFR §1.129(a) Submission)

\$870.00. Therefore, the due date for filing a Reply to the May 28, 1999 Final Office Action is now November 29, 1999, since November 28, 1999 falls on a Sunday, and this Amendment and Submission are timely filed.

Moreover, pursuant to the provisions of C.F.R. § 1.129(a), Applicants respectfully request withdrawal of the finality of the May 28, 1999 Office Action. The fee for this Request under CFR § 1.17(r) is \$760.00 and a check for \$760.00 is enclosed herewith in payment of the required fee.

In the event that entry of this Submission is not granted for any reason and the finality of the May 28, 1999 Office Action is maintained. Applicants are filing herewith a Notice of Appeal. If the finality of the May 28, 1999 Office Action is withdrawn, it is requested that the Notice of Appeal not be entered or be dismissed.

AMENDMENTS

Please amend the subject application as set forth below.

IN THE CLAIMS

Please amend claims 51-69 to read as follows:

Sule
C 51. [Three times amended]. A reagent kit for detecting the presence of a specific nucleotide at ^a predetermined position in a target nucleic acid polymer, comprising: a target nucleic acid polymer; a polymerizing agent; a labeled nucleotide complementary to a specific nucleotide at a predetermined position in the target nucleic acid polymer; and an oligonucleotide detection primer having a nucleotide sequence complementary to and capable of hybridizing to a region in